

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, et al. ex rel. URI
BASSAN,

15-CV-04179 (CM) (VF)

Plaintiffs,

ORDER

-against-

OMNICARE, INC.,

Defendant.

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

OMNICARE, INC. and CVS HEALTH
CORP.,

Defendants.

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VALERIE FIGUEREDO, United States Magistrate Judge.

On July 24, 2023, Defendants submitted a binder of 224 documents for in camera privilege review. See ECF No. 304. The documents discussed below are identified by “Tab” number, using the same “Tab” number from the Table of Contents provided by Defendants for the in camera review.

The following documents are not privileged and should be produced to the Government in their entirety: Tabs 38, 58-64, 75, 78-87, 121, 123-24, 201-206, 208-209, 221.

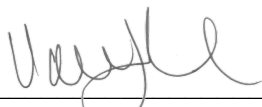
The following documents should be produced with redactions, as indicated below:

- Tab 5: Redact email dated 10/16/18, 9:54 a.m., from Joseph Lavino to Alicia Palombo
- Tab 24: Redact email dated 10/16/18, 9:54 a.m., from Joseph Lavino to Alicia Palombo
- Tab 36: Redact email dated 10/16/18, 9:54 a.m., from Joseph Lavino to Alicia Palombo (page 2 of email chain)
- Tab 37: Only the top email, dated 4/26/18, 5:11 p.m., from John Rocchio to Mark Johnston should be redacted. The other three emails that were redacted are not privileged.
- Tab 46: The redactions applied to the email dated 4/20/18, 8:33 a.m., from Wendy Christopher to Christopher King should be removed. The same email is also at Tab 207, and the redaction in that version of the email should also be removed.

As indicated at the conference on September 21, 2023, Defendants have until September 28, 2023, to raise any objections to this ruling. The Clerk of Court is directed to terminate the motion at ECF No. 266.

SO ORDERED.

DATED: New York, New York
September 21, 2023



VALERIE FIGUEREDO
United States Magistrate Judge